



Paper No. 13

PENNIE & EDMONDS LLP  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036

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**OFFICE OF PETITIONS**

In re Application of  
Mueller et al.  
Application No. 09/706,583  
Filed: November 3, 2000  
Attorney Docket No. 10177-137-999

ON PETITION

This decision concerns the March 15, 2004 petition under 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned on August 17, 2002 for failure to timely file a proper response to the July 16, 2002 Office Action, containing restriction/election requirements, which set forth a 1-month shortened statutory reply period.

The instant petition includes a "Response to Restriction Requirement" and an authorization to charge the \$665 petition fee (small entity) to Deposit Account No. 16-1150, and states in essence that the entire delay in filing the required reply from the due date until the filing of a grantable §1.137(b) petition was unintentional. The petition is thus granted.

The application file is being returned to Technology Center 3700 for continued examination.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang  
Petitions Attorney  
Office of Petitions